

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

APR - 8 2009

BY DAVID J. MALANDRINO, CLERK
DEPUTY

UNITED STATES OF AMERICA

VS.

**Cause No. 4:09CR 48
(Judge Crone)**

GABRIEL MENDOZA, SR. (1)
GABRIEL MENDOZA, JR. (2)
ADAM MARTINEZ MENDOZA (3)
LUIS GONZALEZ (4)
a.k.a. "Big Lou"
SIMON GALLEGOS (5)
KERRY LYNE BLANTON (6)
SAN JUAN GONZALEZ (7)
a.k.a. "John"
CALVIN ANDREW WILLIAMS (8)
a.k.a. "Noni"
ANDY WILLIE
WASHINGTON MADKINS (9)
JESUS MERCADO (10)
a.k.a. "Cuz"
GUADALUPE ORTIZ (11)
ALBERT LEE VILLA (12)
WILLIAM HENRY TURNER (13)
a.k.a. "Will"
MANUEL GALLEGOS, JR. (14)
a.k.a. "Cuz"
JOSE ARMANDO RAMOS (15)
a.k.a. "Joe"
MARIO ALBERTO GONZALEZ (16)
JOHN STEVEN POREMSKI (17)
a.k.a. "JP"
HUGO GONZALEZ (18)
DERRICK DEMON LEWIS (19)
a.k.a. "Snake"
HENRY GARCIA, JR. (20)
"Kiko"
FREDDIE CASTILLO (21)
ARMANDO ESCAMILLA (22)
a.k.a. "Mando"
a.k.a. "Chapete"

ALFREDO JOSE MAYA VALLE (23)	§
a.k.a. "Guerito"	§
MIGUEL ANGEL BARRAGON (24)	§
a.k.a. "Mickey"	§
FEDERICO TAPIA ALFREDO (25)	§
a.k.a. "Dandy"	§
OLIVIA VARGAS SANCHEZ (26)	§
JOSE MARIA HERNANDEZ (27)	§
a.k.a. "Joe"	§
a.k.a. "Cookie"	§
SYLVIA ARMIJO (28)	

INDICTMENT

THE UNITED STATES GRAND JURY CHARGES:

COUNT 1

Violation: Conspiracy to Manufacture,
Distribute or Possess with Intent to
Manufacture or Distribute Cocaine,
Methamphetamine or Marijuana 21 U.S.C. §
846

That from in or about 2003, the exact date unknown to the Grand Jury, and
continuing thereafter up to and including the date of the filing of this Indictment, in the Eastern
District of Texas and elsewhere,

GABRIEL MENDOZA, SR. (1)
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a.k.a. "Joe"
a.k.a. "Cookie"
SYLVIA ARMIJO (28)

defendants herein, did knowingly and intentionally conspire and agree together with each other and with other persons known and unknown to the Grand Jury to manufacture or distribute or possess with intent to manufacture or distribute:

5 kilograms or more of a mixture or substance containing a detectable amount of cocaine;

500 grams or more of a mixture of substance containing a detectable amount of

methamphetamine; and,

1000 kilograms or more of a mixture and substance containing a detectable amount of marijuana,
in violation of Title 21, United States Code, Section 841.

All in violation of Title 21, United States Code, Section 846.

COUNT 2

Violation: 18 U.S.C. § 1956(h) and
Conspiracy to Commit
Money Laundering

That from in or about sometime in 2003, the exact date unknown to the Grand Jury, and continuing thereafter up to and including the date of the filing of this Indictment, in the Eastern District of Texas and elsewhere,

GABRIEL MENDOZA, SR. (1)
ADAM MARTINEZ MENDOZA (3)
LUIS GONZALEZ (4)

defendants herein, did knowingly, willfully and unlawfully conspire and agree together with each other and other persons known and unknown to the Grand Jury, to:

(a) conduct and attempt to conduct financial transactions affecting interstate and foreign commerce and to transport, transmit, or transfer, or attempt to transport, transmit, or transfer a monetary instrument or funds from a place in the United States to or through a place outside the United States or to a place in the United States from or through a place outside the United States, as specifically set out in the overt acts in this Count, which involved the proceeds of a specified unlawful activity, to wit: conspiracy to distribute or possess with the intent to distribute: 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine; and, 500 grams or more of a mixture of substance containing a detectable amount of methamphetamine and, 1000 kilograms or more of a mixture or substance containing a detectable amount of marijuana with the intent to promote the carrying on of the specified unlawful activity and knowing that the transactions were designed in whole or in part to conceal and disguise the nature, location, source, ownership and control of the proceeds and that while conducting and

attempting to conduct such financial transactions knew that the property involved in the financial transactions, that is, United States currency, represented the proceeds of some form of unlawful activity, in violation of 18 U.S.C. Sections 1956(a)(1)(A)(i), (a)(1)(B)(i) and (a)(2)(A), (a)(2)(B)(i); and,

(b) engage, or attempt to engage, in a monetary transaction in an amount greater than \$10,000 by, through, or to a financial institution with proceeds of a specified unlawful activity, that is, conspiracy to distribute or possess with the intent to distribute 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine; and, 500 grams or more of a mixture of substance containing a detectable amount of methamphetamine and 1000 kilograms or more of a mixture or substance containing a detectable amount of marijuana, in violation of 18 U.S.C. Section 1957.

MANNER AND MEANS

It was part of the conspiracy that the defendants and other persons known and unknown to the Grand Jury:

1. stored, concealed and transported narcotics including cocaine and marijuana;
2. generated drug proceeds from the sale and transportation of narcotics;
3. stored and concealed drug proceeds;
4. caused United States currency to be transported to locations known and unknown to the Grand Jury in payment for drugs;
5. disposed of proceeds derived from the distribution, sale and transportation of narcotics by purchasing assets in order to conceal and disguise the nature and source said proceeds; and

6. utilized a business front to create the appearance of a legitimate source of funds to conceal or disguise the nature and source of said funds.

OVERT ACTS

In furtherance of the conspiracy and to achieve the objects thereof, the defendants and their co-conspirators, known and unknown to the Grand Jury, committed and caused to be committed the following overt acts, among others, in the Eastern District of Texas and elsewhere:

1. In or about July 2004, Defendant **GABRIEL MENDOZA, SR.** purchased a 2005 Mercedes ML 500 using a \$15,000 check drawn on Gabriel's Trucking account at a financial institution;
2. In or about February 2007, Defendant **GABRIEL MENDOZA, SR.** caused to be deposited in the Gabriel's Trucking account at a financial institution \$41,000.00 United States Currency;
3. In or about April 2007, Defendant **GABRIEL MENDOZA, SR.** purchased a house at 2965 Sunburst Lane, Farmers Branch, Texas using \$41,061.97 as down payment in the form of a check drawn on Gabriel's Trucking account at a financial institution;
4. In or about May and June of 2007, Defendant **GABRIEL MENDOZA, SR.** caused to be deposited in the Gabriel's Trucking account at a financial institution over \$80,000.00 United States Currency in multiple deposits;
5. In or about July 2007, Defendant **GABRIEL MENDOZA, SR.** purchased a house at 2665 Farmers Branch Lane, Farmers Branch, Texas using \$44,796.14 as down payment in the form of a check drawn on Gabriel's Trucking account at a financial institution;
6. On or about December 10, 2007, Defendants **GABRIEL MENDOZA, SR.** and

ADAM MARTINEZ MENDOZA discussed the distribution of money. Specifically, **GABRIEL MENDOZA, SR.** told **ADAM MARTINEZ MENDOZA** to pick up a check from "Expeditors," take the sixty- eight (68), get money out and from the rest, take another five (5), put the checks in the bank and give the rest to a person known to the Grand Jury;

7. On or about December 12, 2007, a person known to the Grand Jury made a deposit of \$7,533.00 to Garbriel's Trucking Account comprised of \$5,000.00 United States Currency and two checks from "Expeditors;"

8. From in or about 2007 through 2009, **LUIS GONZALEZ** provided payment to tractor/ trailer drivers who transported controlled substance contraband on behalf of **GABRIEL MENDOZA, SR.**

All in violation of Title18, U.S.C. Section 1956(h).

NOTICE OF INTENTION TO SEEK CRIMINAL FORFEITURE

Criminal Forfeiture Pursuant to 18 U.S.C. § 982 and 28 U.S.C. § 2461

As the result of committing one or more of the foregoing offenses alleged in this Indictment, Defendants herein, shall forfeit to the United States, pursuant to 18 U.S.C. § 982 and 28 U.S.C. § 2461, all property, real and personal, involved in the aforementioned offenses or traceable to such property; all property, real and personal, which constitutes proceeds of the aforementioned offenses including, but not limited to, the following:

REAL PROPERTY

Real Property Belonging to Defendant Gabriel Mendoza, Sr.

All that lot or parcel of land, together with its buildings, improvements, fixtures, attachments and easements located at 2665 Farmers Branch Lane, Farmers Branch, Texas 75234.

All that lot or parcel of land, together with its buildings, improvements, fixtures, attachments and easements located at 2965 Sunburst Lane, Farmers Branch, Texas 75234.

Real Property Belonging to Defendant Gabriel Mendoza, Jr.

All that lot or parcel of land, together with its buildings, improvements, fixtures, attachments and easements located at 1622 Tantor Road, Dallas, Texas 75229.

All that lot or parcel of land, together with its buildings, improvements, fixtures, attachments and easements located at 1624 Tantor Road, Dallas, Texas 75229.

Real Property Belonging to Defendant Adam Mendoza

All that lot or parcel of land, together with its buildings, improvements, fixtures, attachments and easements located at 1655 X Street, Dallas, Texas 75229.

All that lot or parcel of land, together with its buildings, improvements, fixtures, attachments and easements located at 1620 Tantor Street, Dallas, Texas 75229.

CURRENCY

All funds in checking and/or savings account number 363209129 in the name of Gabriel's Trucking Company at Laredo National Bank;

VEHICLES

2007 Peterbilt, Texas license number RD6R34, VIN 1XP5DB9X87D682813, registered to Gabriel Mendoza, 1622 Tantor Road, Dallas, Texas 75229

1999 Freightliner, Texas license number R8GX63, VIN 1FUYSSEB0XLA68709, registered to Gabriel Mendoza, 1622 Tantor Road, Dallas, Texas 75229

1999 Freightliner, Texas license number TONLY02, VIN 1FUYSSEB9XLA68711, registered to Gabriel Mendoza, 1622 Tantor Road, Dallas, Texas 75229

1999 Fontaine Trailer, Texas license number X75565, VIN 4LF4S5237X3508450, registered to Gabriel Mendoza, 2515 Squire Place, Farmers Branch, Texas 75234

1999 Sure, Texas license number X01589, VIN 1J9DG4528XJ143317, registered Gabriel Mendoza, 2515 Squire Place, Farmers Branch, Texas 75234

1998 Kenworth, Texas license number R5ZF87, VIN 1XKAD99X7WR749545, registered to Gabriel Mendoza, 1624 Tantor Road, Dallas, Texas 75229

1998 International, Texas license number R5ZT40, VIN 2HSFHAMR6WC035944, registered to Gabriel Mendoza, 1622 Tantor Road, Dallas, Texas 75229

1998 International, Texas license number 2AV939, VIN 2HSFRAER3WC073353, registered to Gabriel Mendoza, 1622 Tantor Road, Dallas, Texas 75229

1997 Freightliner, Texas license number 2BA242, VIN 1FUPFCYBXVP812952, registered to Gabriel's Trucking, 1622 Tantor Road, Dallas, Texas 75229

1997 Freightliner, Texas license number 2DS882, VIN 1FUY3EDB8VP819607, registered Gabriel Mendoza, 1622 Tantor Road, Dallas, Texas 75229

1997 Gdan flatbed, Texas license number X58534, VIN 1GRDM9628VM020005, registered to Gabriel Mendoza, 2515 Squire Place, Farmers Branch, Texas 75234

1995 Peterbilt, Texas license number 2DS883, VIN 1XP5D69X7SD358011, registered to

Gabriel Mendoza, 1622 Tantor Road, Dallas, Texas 75229

1995 Peterbilt, Texas license number 2DT835, VIN 1XP5D69X9SD358012, registered to Gabriel Mendoza, 2515 Squire Place, Farmers Branch, Texas 75234

1995 Utility Trailer, Texas license number W89296, VIN 1UYVS2488SU288701, registered to Gabriel Mendoza, 1624 Tantor Road, Dallas, Texas 75229

1990 Trailmobile Trailer, Texas license number 96632Z, VIN 1PT01ANH8L9009076, registered to Gabriel Mendoza, 1102 Lincoln, Dalahart, Texas 79022

1989 Freighliner, Texas license number 2AV175, VIN 1FUPARYB9KH350228, registered to Gabriel Mendoza, 2515 Squire Place, Farmers Branch, Texas 75234

1987 International, Texas license number 2DS864, VIN 1HSRDG2R4HH500912, registered to Gabriel Mendoza, 1622 Tantor Road, Dallas, Texas 75229

1973 Dunh flatbed, Texas license number W35073, VIN 66503725289T2LF, registered to Gabriel Mendoza, 2515 Squire Place, Farmers Branch, Texas 75234

2005 Dodge Dakota, Texas license number 06LGM3, VIN 1D7HE48N55S109535, registered to Gabriel and Esther G. Mendoza, 2515 Squire Place, Farmers Branch, Texas 75234

2002 Jaguar, Texas license 070RSV, VIN SAJEA53D62XC33457, registered to Jesse Mercado, 1715 Martinez Losoya Road, San Antonio, Texas 78214

2000 Ford Expedition, Texas license number DYR516, VIN 1FMRU17L4YLC41485, registered to Latisha and Luis C. Gonzalez, 1150 Colbert Lane, Duncanville, Texas 75137

1999 Chevrolet Corvette, Texas license number X17WWW, VIN 1G1YY12GXX5107638, registered to Gabriel Mendoza, Jr., 2330 Doe Branch, Little Elm, Texas 75068

1998 Ford F150, Texas license number 19FCG7, VIN 1FTZF1761WKC36238, registered to Simon M. Gallegos, 2633 Overland Drive, Dallas, Texas 75234

1999 Chevrolet Suburban, Texas license number 14CWJ8, VIN 3GNEC16RXXG230781, registered to San Juan and Melissa Gonzalez, 2442 Lost Mesa, Grand Prairie, Texas 75052

1999 Lexus GS300, Texas license number S31HHL, VIN JT8BD68S1X0076860, registered

to Luis Gonzalez, 1150 Colbert Lane, Duncanville, Texas 75137

1992 Chevrolet Truck, Texas license number 66PSZ6, VIN 2GCGC29N9N1238523, registered to Luis Gonzalez, 1150 Colbert Lane, Duncanville, Texas 75137

1983 Utility Trailer, Texas license number X76701, VIN 1UYFS2483DA875316, registered to Adam Mendoza, 2515 Squire Place, Farmers Branch, Texas 75234

SUBSTITUTE ASSETS -

If any of the above-described forfeitable property, as a result of any act or omission of the Defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p) as incorporated by 18 U.S.C. § 982(b), to seek forfeiture of any other property of said Defendants up to the value of the forfeitable property described above.

By virtue of the commission of the offenses alleged in this Indictment, any and all interest the Defendants have in the above-described property is vested in the United States and hereby forfeited to the United States pursuant to 18 U.S.C. § 982 and 28 U.S.C. § 2461.

Criminal Forfeiture Pursuant to 21 U.S.C. § 853

For committing the foregoing offenses alleged in this Indictment, which are punishable by imprisonment for more than one year, Defendants herein used or intended to use, the below described property to commit or facilitate the said controlled substance violation and the below described property is derived from proceeds obtained directly or indirectly as a result of the commission of the aforesaid violations of 21 U.S.C. §§ 841(a)(1) and 846, including but not limited to:

REAL PROPERTY

Real Property Belonging to Defendant Gabriel Mendoza, Sr.

All that lot or parcel of land, together with its buildings, improvements, fixtures, attachments and easements located at 2665 Farmers Branch Lane, Farmers Branch, Texas 75234.

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SUBSTITUTE ASSETS

If any of the above-described forfeitable property, as a result of any act or omission of the Defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p) to seek forfeiture of any other property of said Defendant(s) up to the value of the forfeitable property described above.

By virtue of the commission of the felony offenses charged in this Indictment by the Defendants, any and all interest the Defendants have in the above-described property is vested in the United States and hereby forfeited to the United States pursuant to 21 U.S.C. § 853.

A TRUE BILL



FOREPERSON OF THE GRAND JURY

REBECCA GREGORY
United States Attorney


HEATHER HARRIS RATTAN
Assistant United States Attorney

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
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UNITED STATES OF AMERICA

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SYLVIA ARMIJO (28)	

NOTICE OF PENALTY

Count 1

Violation: 21 U.S.C. § 846

Penalty: Imprisonment for not less than ten (10) years or more than life, a fine not to exceed \$4,000,000.00 or both. A term of supervised release of at least five (5) years;

Special Assessment: \$100.00

Count 2

Violation: 18 U.S.C. § 1956(h)

Penalty: Imprisonment for not more than twenty (20) years, a fine not to exceed \$500,000.00 or twice the value of the property involved in the transaction, whichever is greater, or both. A term of supervised release of at least three (3) years.